

Serial No.: 10/563,660
Docket No.: 09792909-6521
Amendment dated November 30, 2007
Reply to the Office Action of July 31, 2007

REMARKS

A. Introduction

Claims 1-6 are pending and under consideration in the application.

In the Office Action of July 31, 2007, the drawings were objected to and claims 1-6 were rejected as anticipated. In response, the drawings have been amended and no claims have been amended. No new matter is presented.

B. Specification

The Examiner's objection to the listing of references in the Specification is noted. Filed herewith is an Information Disclosure Statement containing the references. Consideration thereof and withdrawal of the objection are requested.

C. Drawings

Regarding the Examiner's objection to the drawings, as best understood by Applicant, the Examiner appears to object to the placement of tables in figures 5 and 6. The Examiner is referred to 37 CFR 1.84(d), which provides (emphasis added):

(d)Graphic forms in drawings. Chemical or mathematical formulae, tables, and waveforms may be submitted as drawings and are subject to the same requirements as drawings. Each chemical or mathematical formula must be labeled as a separate figure, using brackets when necessary, to show that information is properly integrated. Each group of waveforms must be presented as a single figure, using a common vertical axis with time extending along the horizontal axis. Each individual waveform discussed in the specification must be identified with a separate letter designation adjacent to the vertical axis.

Given that Rule 1.84(d) specifically allows tables as drawings, it is submitted that the objection is improper and should be withdrawn.

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D. Rejection under 35 USC §102

Claims 1-6 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Publication No. 2004/0001134 to Nakazawa. Applicant traverses these rejections for at least the following reasons.

The Examiner relies on Nakazawa paragraph 139 in attempt to demonstrate that Nakazawa teaches “wherein in the case where the interval between a discharge of an ink of a first color and a discharge of an ink of a second color is 200 msec or less,” as recited in independent claims 1 and 4. However, a review of this passage provides no mention of a discharge rate of ink or the like. Rather, the passage discloses that an inkjet device is “withdrawn 50mm from a position.” See para. 139. Thus, Nakazawa does not disclose all of the limitations as recited in independent claim 1.

Further, Applicant submits that the conditional limitation recited in independent claims 1 and 4 is not parseable. Specifically, claims 1 and 4 recite that if a condition is satisfied, i.e., if “the interval between a discharge of an ink of a first color and a discharge of an ink of a second color is 200 msec or less,” then specific inks are used, i.e., “inks whose surface tension is 25 to 45mN/m at 23°C are used.” Nakazawa does not disclose the conditional limitation as recited in independent claims 1 and 4.

Accordingly, for at least the reasons above, Applicant submits that independent claims 1 and 4 are allowable over Nakazawa. Likewise, claims 2-3 and claims 5-6 respectively depend from independent claims 1 and 4 and thus includes all of the limitations of independent claims 1 and 4. Accordingly, dependent claims 2-3 and claims 5-6 are also allowable over Nakazawa for at least the same reasons discussed above with respect to claims 1 and 4. Therefore, withdrawal of these rejections and allowance of these claims are earnestly solicited.

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E. Conclusion

In view of the foregoing, it is submitted that claims 1-6 are allowable and that the application is in condition for allowance. Notice to that effect is requested.

If any further fees are required in connection with the filing of this amendment, please charge the same to our Deposit Account No. 19-3140.

Respectfully submitted,
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